

**REPUBLIC OF KENYA**  
**MANDERA COUNTY ASSEMBLY**

**THE HANSARD**

**Wednesday, 22<sup>nd</sup> July, 2020**

*The House met at the Assembly Chambers  
County Assembly Buildings, at 2.30 p.m.*

[Deputy Speaker (Hon. Farah Abdi) in the chair]

PRAYER

CONFIRMATION OF QUORUM

**Deputy Speaker** (Hon. Farah Abdi): Sergeant-At-Arm, ring the bell for 10 minutes?

*(Quorum bell rang)*

*(Quorum Obtained)*

**STATEMENTS**

BUSINESS FOR THE WEEK COMMENCING  
TUESDAY, 28<sup>TH</sup> JULY, 2020

**Deputy Speaker** (Hon. Farah Abdi): Members of House Business Committee, next week business, honorable Halima.

**Hon. Halima Billow** (Nominated): Thank you, Mr. Deputy Speaker. Pursuant to Standing Order No. 44 (2) (a), I want to lay on the table the following business slotted by House Business Committee on Tuesday 21<sup>st</sup> July, 2020 regarding the Business of the House commencing Tuesday, 28<sup>th</sup> July, 2020.

Tuesday, 28<sup>th</sup> July, 2020, Bills, the Mandera County Enforcement and Inspectorate Bill 2020, first reading; Mandera County Cooperative Development Fund Bill, 2020, first reading.

Notice of Motion; Safe management and disposal of asbestos;

Wednesday 29<sup>th</sup> July, 2020, Motion, safe management and disposal of asbestos and response to statements.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, very much. Leader of Majority! Leader of Minority, do you have any statement to make? You have nothing. Honorable Members, we go

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to statements to be issued. First is the statement to be raised by honorable Abdullahi Siyad to the department of Trade, Industrialization and Cooperative Development? Hon. Abdullahi!

WHY LAFEY SUB COUNTY DOES NOT HAVE  
PROPER MARKET WITH FACILITIES

**Hon. Abdullahi Siyad** (Lafey): Thank you, Mr. Deputy Speaker. Pursuant to the provision of Standing Order No. 44 (2) (c), I wish to seek statement from the chairperson of Trade, Industrialization and Cooperative Development Committee as follows; -

- a) Is the department aware that Lafey town does not have proper market with decent facilities and that the residents are using an old structure that was in existence before the advent of devolution?
- b) When the department is going to construct a modern market that befits the status of a sub county headquarter that is going to help residents do business in a dignified environment.

**Deputy Speaker** (Hon. Farah Abdi): Chair for Trade! Vice chair! Any Member? Hon. Halima!

**Hon. Halima Billow** (Nominated): Mr. Deputy Speaker, I request to be given three weeks.

**Deputy Speaker** (Hon. Farah Abdi): Why three weeks? Why not less than three weeks?

**Hon. Halima Billow** (Nominated): Mr. Deputy Speaker, we cannot bring it before that because next week we will be writing to the department for them to respond. Because of Corona, the committee has one sitting in a week. So, kindly, I request for three weeks.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Abdullahi.

**Hon. Abdullahi Siyad** (Lafey): Mr. Deputy Speaker, I think this is the time for budget making and I want this to be considered because budget is with the Executive right now. Can they limit that to two weeks maximum?

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): I think honorable Halima, there is a ruling that we made here. It is true that the committees have only one sitting per week but we said when the committee has more business, they can request for an extra sitting. I therefore, direct the committee to respond within two weeks. We go to next statement to be raised by honorable Kulow Alio.

WHY RHAMU IDPs HAVE NOT RECEIVED  
ROUTINE MONTHLY RELIEF FOOD

**Hon. Kulow Alio** (Rhamu): Thank you, Mr. Deputy Speaker. I want to direct my question to the chair for Finance and Economic Planning Committee. I want to say this concerning my statement;

Aware that the internally displaced persons of Rhamu ward have not been specifically addressed in terms of provision of relief food distribution;

Further aware that this House passed a Motion on 15<sup>th</sup> May, 2019 to compel the county department of finance and economic planning to implement social protection programme by

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converting all routine food programme in the county to monthly cash transfer to benefit the vulnerable households in the County;

Mr. Deputy Speaker, allow me to give some short background on why I asked this statement. Rhamu ward is a ward that houses over three thousands IDPs who were displaced from our neighboring Wajir County. For couple of years after these people landed in Rhamu ward, the County Government of Mandera did its best to settle the said IDPs. Some of the things they actually did for these people is that the residents of Rhamu actually donated their pieces of land to these IDPs, gave them utensils and the County Government helped them to settled by providing them with water, schools and above all the County Government for the last four to five years has been giving these families who are vulnerable, mostly the elderly, monthly relief food. I know no Government, not even County Government, can maintain its population the whole of its life. I thank the County Government for what they have done.

Mr. Deputy Speaker, last year the same food ration was actually removed from the budget citing that the residents were not thankful to what the government was actually giving them which is false. My people who are the IDPs are always thankful to what the County Government has been doing for them and that has been their livelihood. They have been getting food ration on a monthly basis. Remember these are the people who have been chased from where they have been living and they have no any other source of livelihood and they appreciate that which was given to them by the County Government. But when they removed this from the budget the lives of these people have never been the same. Vulnerable members of the society who are the IDPs are currently facing starvation. They had no land to farm, they had no animals to keep and they have nothing to feed for the last one and half years that the County Government withdrew its support.

It is against this background that I want to state on the floor of this House that these IDPs are suffering, they have nothing to feed on, they have no animals to rare, they have no farms to farm and that every time these people have been calling me to actually petition the government to make sure that they continue to provide whatever they have been providing. I know it is not logic to feed these people for many years but they can gradually wean these people so that at least they can come to terms with the new lifestyle of where is no support. The government did not do that but they abruptly stopped the support and that had a devastating effect on the residents of Rhamu ward particularly those who are in IDPs.

So, pursuant to the provision of Standing Order No. 44 (2) (c), I wish to seek statement from the chairperson of Finance and Economic Planning Committee on; -

1. Why the department has not distributed the routine monthly relief food for Rhamu Internally Displaced Persons for the last one year?
2. Any budgetary allocation for the routine monthly food distribution for internally displaced households in Rhamu ward in the financial year 2020/2021?
3. Whether the department has implemented monthly cash transfer programme for vulnerable households in line with the Motion passed on 15<sup>th</sup> May, 2019.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): What is your information honorable Adan?

**Hon. Adan Maalim Abdullahi** (Township): Thank you, Mr. Deputy Speaker. As said by the honorable Member for Rhamu, relief food allocation was removed from the budget immediately the Motion was passed in this House directing the County Government to generate a

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bill that will enable the controller of budget to allow the county deducts this amount through the cash transfer. This failed to happen and we have waited for one year plus and specifically before the office of the clerk this is the bill that was generated on the same that will allow county government to deduct this amount of money for this purpose. Using this opportunity, I request your indulgence to make sure that this bill benefits these populations with effect from this budget which has not landed on the floor of the House.

Secondly, I just want to take this opportunity to raise an issue that requires your indulgence. I raised a statement on the floor of this House that was talking about the pending bills. I was told I will wait for two weeks to get response from the department of finance to date my statement is not in the order paper and there is no communication on the same.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, very much. First and foremost, honorable Kula, in his last statement said ‘Madam Speaker’ please, it is Mr. Speaker. The other thing is according to the Standing Order No. 43 (3), if you are moving a statement; you cannot speak more than three minutes unless the Speaker allows you to do so and therefore, honorable Kulow will not ask more time and next time honorable Kulow and the rest will not do the same unless they ask for permission.

The issue of pending bills is before the court of law and I think we will know how that case will end. The issue of the bill, we will know it from the Clerk’s office and we will confirm how that bill is progressing and follow up.

Lastly, the chair for finance please,

**Hon. Yussuf Maalim Dakane** (Alungu-Gof): Point of information Mr. Deputy Speaker!

**Deputy Speaker** (Hon. Farah Abdi): Are you the chair for finance?

**Hon. Yussuf Maalim Dakane** (Alungu-Gof): I am on a point of information concerning the issue raised by---

**Deputy Speaker** (Hon. Farah Abdi): I think we should not discuss that issue of pending bills.

**Hon. Yussuf Maalim Dakane** (Alungu-Gof): Yah.

**Hon. Mohamed Rashid** (Kutulo): Thank you, Mr. Deputy Speaker. I am the vice chair for finance. I thank my brother honorable Kulow for the statement. There are three questions raised by my brother honorable Kulow. The first one, why the department has not distributed the routine monthly relief food for the internally displaced person of Rhamu for the last one year, we are aware that in the last financial year 2019/2020, the budget line for the distribution of relief food was removed, that is why the Executive could not distribute routine monthly relief food to the IDPs of Rhamu. Even my brother Hon. Kula has highlighted and emphasized about it in the statement he raised. Mr. Deputy Speaker because we are closing 12<sup>th</sup> August I am requesting you to give us two weeks so that we respond to the questions because the third question requires a bill to be passed in the House.

**Deputy Speaker** (Hon. Farah Abdi): Thank you very much Hon. Mohamed. We go to the next statement. The next statement, order honorable Yakub! He said two weeks. You are out of order. What do you want to say and he is the vice chair? He is in the committee, let us allow him to say what he wants to say. Hon. Bishar!

**Hon. Bishar Maalim Abdullahi** (Takaba Town): Mr. Deputy Speaker, Hon. Mohamed knows what is happening in the government more than us but honorable Kula asked why the department has not distributed routine relief food.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Bishar, what do you mean by honorable Mohamed knows what is happening in the government more than you? What do you mean by that?

**Hon Bishar Maalim Abdullahi** (Takaba Town): Mr. Deputy Speaker, the members are applauding him for knowing very much information about the government. Mr. Deputy Speaker, despite that, the government has not distributed because fund has been removed from the budget cannot be an answer. The member was seeking to know why that fund was removed from the budget. You cannot just trash this statement and tell us that that question has been answered. Mr. Deputy Speaker, I would like to know---

**Hon. Mohamed Rashid** (Kutulo): Point of information Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): You will be given but let him exhaust his points.

**Hon Bishar Maalim Abdullahi** (Takaba Town): Mr. Deputy Speaker, this is a very important aspect of life concerning human right and food distribution is one of the basic need of human right. What occasioned the government to remove this money for food security for vulnerable members of the society in all the wards not only in Rhamu? What other emergency have been put in place of this one? Mr. Deputy Speaker, that question is unanswered despite him telling us that it is.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable members! I think that is information to the House. Two weeks is very fair.

**Hon Mohamed Rashid:** (Kutulo): It is this honorable House which removed the budget line of distribution of relief food, him included.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable members! Let us not discuss this statement since it is new. Order! Get back to your seats. Two weeks is very fair. If you want to make provision for relief food, the budget will come very soon and you have the powers to make a line for that.

We go to the next statement by Member for Waranqara ward.

CLOSURE OF WARANQARA HEALTH CENTER  
DUE TO LACK OF HEALTH PERSONNEL

**Hon. Ahmed Gabnan** (Waranqara): Pursuant to the provision of Standing Order No. 44 (2) (c), I wish to seek statement from the chairperson of Health Committee on; -

1. Whether the department is aware of the Waranqara health center closure due to lack of health personnel
2. What immediate plan does the department have to operationalize the facility?
3. Why Gari and Waranqara health centers did not get any new posting of health care workers despite the staffing challenges?

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Chair for Health.

**Hon. Shaban Hassan** (Ashabito): Thank you, Mr. Deputy Speaker, we will bring a comprehensive response in two weeks' time.

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**Hon. Ahmed Gabnan** (Waranqara): Before you give direction, over the weekend, I happened to be in Waranqara ward health center. At the moment I do not know whether it is mild corona or people are really sick. It is both in the social and main stream media that there is crisis in that health center. That is a matter of emergency and I request the chair to respond because of the urgency of the matter within a week.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable members, chair for Health.

**Hon. Shaban Hassan** (Ashabito): Mr. Deputy Speaker, now that we are in a pandemic, the closure of this facility will aggravate the problem. We will take up this issue with the department so that health personnel will be posted as soon as possible. We will liaise with the department so that, if possible, next week health personnel will be taken there.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): It is very fair. The moment he said two weeks, even in one week they can post health personnel. We go to statements to be responded to by Yussuf Maalim Dakane to Health Service Committee.

**Hon. Shaban Hassan** (Ashabito): Mr. Deputy Speaker, we discussed it last week and found that the response is not sufficient. We returned to the department and will bring the response next week.

**Hon. Yussuf Maalim Dakane** (Alungu Gof): I am the member who raised that statement and it has taken long, I wish to ask the chair of health not to exceed next week.

**Deputy Speaker** (Hon. Farah Abdi): By next week according to the chair the response will be ready. We go to the next statement by Honorable Abdinoor Dakane Rafat to the Finance and Economic Planning.

**Hon. Mohamed Rashid** (Kutulo): Mr. Deputy Speaker, we have received response to statement raised by honorable Abdinoor Dakane Rafat. The 1<sup>st</sup> one reads how much does the revenue department generate from water revenue collection per week in the ward for the last 12 months? Over the last 12 months the total collection by the department of water and the water users association before the department took over, we at the county treasury have received Kshs. 305, 500 from Khalalio ward. We are able to break it down by weekly collection.

Why the department collects revenue generated from water agents in the ward without any documentation? The water agents are representatives of the community and the ministry of Water, Energy, Environment and Natural Resources. They manage water sources on behalf of the department of water and the community. Upon collecting the revenue the water engineer deposits the amount collected by the agents into the county revenue account at the end of the month.

Any evidence to show whether the water revenue collected from the ward was deposited in the county water service resources account. The department of water deposits the revenue collected into Mandera county revenue account and receives RCR which I do not know what it means.

**Hon. Kulow Alio** (Rhamu): Mr. Deputy Speaker, I do not know whether the vice chair for finance is in order when he says he does not know what RCR means and yet they have discussed it in their meeting. He should be the one informing the House what it means. This means this information has not been discussed with the committee.

Secondly, question number two is not fully answered because the member for Khalalio asked why the department collects revenue generated from water agents in the ward without any

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documentation. Because they are not using receipt that is what they imply and the response does not show anything near that. I feel that question is not totally answered.

Thank you.

**Deputy Speaker** (Farah Abdi): Hon. Rafat.

**Hon. Abdinoor Dakane** (Khalalio): Thank you, Mr. Deputy Speaker, the way you have said the statement is for the whole House since they are all representing their electorates. This is the pain that they are feeling. If you check the response on question two that part, it says the water engineer deposits the amount collected by the agents into the county revenue account at the end of the month. When money is collected weekly and it is not going to the bank up to end month, what does it show? This reflects that this money is collected weekly. I am on the ground and I know what is happening. It is not going to the bank. Even in the 1<sup>st</sup> statement 305,500 is collected yearly that means in a month they get 25,458; per week in Gadudia region they collect 4000, four weeks it is 16,000 and this is a whole year. This is not adding up and therefore this statement is not fully answered and we want the committee to sit down and look for a way forward.

Thank you.

**Deputy Speaker** (Farah Abdi): Hon. Adan

**Hon. Adan Maalim Abdullahi** (Township): Mr. Deputy Speaker, it is very sad to note that we have 365 days in a year and we have collected 305,000. So, we are collecting less than 10 shillings. Even those who push the 20liter jerry can who come from town and the animals who come and drink water will generate not less than 4000 shillings in a big settlement like Khalalio. There is something very fishy and serious leakage of fund in this ward which requires your indulgence.

**Hon. Abdullahi Yussuf** (Lafey): Mr. Deputy Speaker, I want to respond to honorable Adan that the money that is collected into the county revenue account is the money that remains after it is used for fuel and maintenance. So, it is not all the money that is collected that goes directly to-----

**Hon. Adan Maalim Abdullahi** (Township): Look at the question.

**Hon. Abdullahi Yussuf** (Lafey): No Mr. Deputy Speaker that is the reality on the ground the little balance is what goes to the county revenue account.

**Hon. Bishar Maalim Abdullahi** (Takaba): Mr. Deputy Speaker, I just want to echo what honorable Adan has said that the money collected is only for Khalalio ward not for the whole county. That is the information that I want to pass to you.

**Deputy Speaker** (Farah Abdi): Honorable Hindia.

**Hon. Hindia Hussein** (Nominated): Mr. Deputy Speaker, according to me question one is not even answered. This is because he said per week in the ward for the last 12 years. They have just given us that. According to the Ad Hoc Committee representing water, I being the member, this is after ring fencing which means the money is used fueling, paying the workers and whatever remains is deposited in the account.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Mohamed.

**Hon. Mohamed Ibrahim** (Guticha): Mr. Deputy Speaker, Hon. Hindia has put it the right way. I am sad today because today it has revived me in terms of remembering when this House rejected the Report of the Ad Hoc Committee. These problems would have not been

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discussed today. All the concerns raised were captured in that report and the remedy was also captured in that report.

Coming to my point, 305,500 shillings from Khalalio ward is in order. We have gone to the ground including the people of Khalalio, the money collected by the water agents is used to ring-fence, pay casual workers, fuel, maintenance cost and what remains is what is taken to the county accounts as Revenue source. So, 25,000 as put by Hon. Rafat is more than enough if they have contributed 25000+ per month actually that Ward should be rewarded and this statement is in order and fully answered.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Rafat.

**Hon. Abdinoor Dakane** (Khalalio): Mr. Deputy Speaker, this does not mean that if the report brought by the Ad Hoc Committee has been rejected, they indulge in everything and say it is correct. It does not make sense. It is the whole House that rejected the report and you cannot come back to the House and ask why we have rejected the report. That is wrong. The House has its own mandate to refuse a report and it is not because of that they go and haunt the people. Mr. Deputy Speaker, we need your indulgence on this.

Thank you.

**Hon. Ahmed Gabnan** (Waranqara): As a former member of this committee, I happen to sit as a co-opted member yesterday when we were deliberating this statement. If you look at the answer in a way you can see a lot of weaknesses in it and there is no better way that the CEC can answer. We saw the confusion and lack of synergy in different department in this county when we tried to find remedy to it. Hon. Rafat was at frontline rejecting it as Member for Guticha said. We do not expect a water engineer to be collecting money which is not answerable to the Revenue department. There are a lot of problems but you cannot expect what is happening. The Ward administrator, water officer, community elders and the different collectors we earlier mentioned, what they use as maintenance on the ground is used, what has been cashed or banked is the amount that is surplus. The member who raised the statement himself is not clear. What exact information does he want? If you want day to day activities of the boreholes he should direct it to water.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): What is your point of order Hon. Adan?

**Hon. Adan Maalim Abdullahi** (Township): A question raised on the floor of this House is raised on behalf of each and every one of us and it is good for us if he gets a good response.

**Deputy Speaker** (Hon. Farah Abdi): Order Hon. Member!

**Hon. Adan Maalim Abdullahi** (Township): Mr. Deputy Speaker, the concerns raised by Hon. Rafat was not raised to create business for this House. There was a concern and problem in the Ward. The question clearly asks how many shillings were raised every week and we do not have water every week and here we are talking about 365 days and whoever wants to answer the question should give elaborate answer by saying the amount of money generated was this amount, this was used and this was banked. What we have here is 305,500 which were banked and this means this is the only money generated. There is something seriously fishy and Hon. Rafat should not suffer because the question raised by the Ad Hoc Committee was not properly addressed by this House and this question requires your indulgence and let the electorates of his ward not suffer.

Thank you.

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**Deputy Speaker** (Hon. Farah Abdi): Hon. Minority.

**Hon. Jimale Abdi** (Guba): Thank you, Mr. Deputy Speaker. Water issue has its own problems. This House formed an Ad Hoc Committee on water which came up with a report which could not sail through.

Secondly, this is a response from the department. They have their own ways of accounting for their money whether weekly, monthly or yearly. When they give us the report we abide by what they have given us. If we have another question we have to go back to them and tell them we are not contented with this report.

Thirdly, if the member representing a ward has different information, something like maybe has other amount of money that he knows which has not been accounted for, then that is the kind of information that we require. Let us abide by and follow this and if there is any other information then can----

**Deputy Speaker** (Hon. Farah Abdi): What is your point of order?

**Hon. Kulow Alio** (Rhamu): Mr. Deputy Speaker, we do not understand the question and what has been answered. If you look at the first question the Hon. Member asked water revenue collected per week in the ward for the last 12 months. This issue of per week can only be answered by the department of water which is collecting funds on daily basis. The department of revenue can only account for the money on monthly basis. Whatever has been deposited from the department of water into the account is what the CEC for Finance is able to account for. So, that is where there is disconnect.

If you look at question number two, why the department of Revue collect revenue without documentation, they have not answered as required because they are the ones who actually oversee the Water users association and make sure they use receipt to collect revenue in the wards but what the department of finance will only account for that amount which was deposited by the water engineer on monthly basis through RCR receipt. (*Technical hitch*)

**Hon. Abdi Adan** (Neboi): Mr. Deputy Speaker, I want to advise my colleagues that what we do right now may haunt us another time. You stop Hon. Rafat from getting this information now but tomorrow it may be you in your ward. Sometimes we need to take precedence from the National Assembly. Some of them said this one is out rightly right, the same thing that is happening to the Revenue sharing in the counties and the senate most of the people who are reducing the reduction are people who are in the government and the president maybe wants this formula to be done and they said it is not right because tomorrow it might happen to my county and I need the support of this Hon. Members.

What I am saying is that this statement is not answered according to what I am seeing. There are no receipts for the deposit they are saying because he asked any evidence and he is saying RCR which I am not seeing. That is what I wanted to say.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Shaban.

**Hon. Shaban Hassan** (Ashabito): This statement has not being tackled and the response is insufficient. When the member for Khalalio asked this statement he knows why he has asked, he knows the ward very well and he knows all the households, he knows how much they are paying every week at all the sources and the cost of water.

Mr. Deputy Speaker, according to the PFM Act no money should be used at the source of collection. All this money generated by water users association has to be banked and it has to

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offset the operational cost at the end of the month. We will do something so that we eliminate this leakage in terms of resource collection by eliminating these agents.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Yakub.

**Hon. Yakub Hassan** (Derkhale): Thank you, Mr. Deputy Speaker. The response given here is satisfactory unless or otherwise somebody has specific response in his mind. If you look at this response they have just responded on the way questions were asked. You have asked for specific amount you have been given, you asked for procedure used and they said they are using the RCR. In question No. 3, you asked whether the county—the money is deposited in cash in County Resources Account and there is no account like that. And you are corrected. You are told that the money is deposited into Mandera County Revenue Account and not County Resources Account. You are asking for something that is non-existent. In this case, they have gone into the extent of even correcting you as honorable member. What does it mean? It means that you do not know what you are asking in the first place. Let us be very sincere.

**Deputy Speaker** (Hon. Farah Abdi): You are out of order honorable Yakub! Honorable Kulow, what do you want to say? Put on your mic and then----

**Hon. Kulow Alio** (Rhamu): (*Spoke off record*).

**Deputy Speaker** (Hon. Farah Abdi): I think---

**Hon. Yakub Hassan** (Derkhale): What I am saying is my personal opinion as honorable member. This is the point that I can see and not from their lens.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Yakub! You are saying that the honorable member does not knowing what he was doing. That statement is not good, please withdraw.

**Hon. Yakub Hassan** (Derkhale): I stand to be corrected and guided.

**Deputy Speaker** (Hon. Farah Abdi): Kindly withdraw that statement. Honorable member representing Khalalio and Rhamu get back to your seats. Honorable Yakub, this is a House of respect, please withdraw that statement.

**Hon. Yakub Hassan** (Derkale): I stand to withdraw that statement and stand guided. There is no better statement than that. I will continue.

**Deputy Speaker** (Hon. Farah Abdi): He has withdrawn.

**Hon. Yakub Hassan** (Derkale): Let them tell us the difference in meaning in dictionary between withdrawing and apologizing? Let them tell us. It still appears they do not understand what the difference.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Rafat, please get back to your seat.

**Hon. Yakub Hassan** (Derkale): They are making the same mistake.

**Deputy Speaker** (Hon. Farah Abdi): I think we are going to rule this; please wind up.

**Hon. Yakub Hassan** (Derkale): As I continue winding up, the detail of all these and the answer of all these, and of course this one is well answered and responded. The detail of this is in the Ad Hoc Committee report. And we request the Speaker to give a ruling that the Ad Hoc Committee report should be revived.

Thank you.

*(Applause)*

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**Deputy Speaker** (Hon. Farah Abdi): Thank you, Very much. Honorable Minority Leader and then honorable Bishar Maalim Abdullahi will be the last. And then I will make a ruling on that.

**Hon. Jimale Abdi** (Guba): I just want to say and follow the Majority Leader that there is no competition in this House in regard to this statement. The statement was raised and responded. If there is an issue, then we will still follow it up. Let us not make it that a team is applauding and the other one opposing. We do not want such a thing. This is just a question and a statement raised by honorable Abdinoor Dakane Rafat. If he is not satisfied then as a committee including myself, we can go back and ask again. But let us not put it like we have indifferences in this statement. Let us be mature enough and respect one another. Let us not make it like two teams.

Thank you.

**Hon. Bishar Maalim Abdullahi** (Takaba): Thank you, Mr. Deputy Speaker. I think anything that touches on water, an honorable member can come with a statement from his ward or even something that concerns the county. What I have come to realize in this House is that the Members for Ad Hoc Committee are always on the negative side to ensure that they pin down the members on the voting that has taken part last year. I think this is trying to haunt this House. One of the key components of that Ad Hoc Committee report is that it has not sailed through because this is a House of rule and that should be respected. Honorable Yakub Hassan so many times, he always refers back to the Ad Hoc Report that was tabled in this House.

**Deputy Speaker** (Hon. Farah Abdi): I think that Ad Hoc Report---- Honorable Bishar Maalim Abdullahi you have the floor.

**Hon. Bishar Maalim Abdullahi** (Takaba): Thank you, Mr. Deputy Speaker for protecting me. Just hold on; I am on the floor. At all times, you have to consider statement as new statement that needs to be answered by the Executive. We should not refer any statement that comes to this House on political ground. We should not politicize statements. People should also honor each other in this House. I do not know whether honorable Yakub does not understand the document. The way he has scrutinized might be different from the way I have analyzed. He should not take up generality. When we talk about statements, let us look at the due process in answering; if there are annexes that are required, if there are information that are lacking. The committee must decide when this statement was before it. But I think honorable Abdinoor Rafat is in the right time or in the right position to ask whatever is affecting his ward in terms of water.

**Deputy Speaker** (Hon. Farah Abdi): Thank you.

**Hon. Mohamed Rashid** (Kutulo): Before you rule.

**Deputy Speaker** (Hon. Farah Abdi): What do you want to say? I will make a ruling after honorable Abdinoor Rafat.

**Hon. Mohamed Rashid** (Kutulo): Thank you, Mr. Deputy Speaker for giving me another chance as Vice-Chair of the Committee on Finance and Economic Planning. I want to bring to your attention and conquer with honorable member representing Rhamu that the first two questions must be referred to Water Department. Probably, the third question which is asking about evidence of the third question. We can go back to the Department of Finance and Economic Planning to seek out clearly and attach proof.

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**Deputy Speaker** (Hon. Farah Abdi): The last honorable member; honorable Abdinoor Rafat then we make a ruling.

**Hon. Abdinoor Rafat** (Khalalio): Thank you, Mr. Deputy Speaker. The first time when I was bringing this statement, the House remembers that this statement was for Water Department and it was re-directed by the Speaker to finance because it involved some revenue. The situation now the Finance and Economic Planning Committee is putting in the House that this is partly for Department of Finance and Economic Planning and Water Department. The two committees are now supposed to join together to find out the truth about this and not Ad Hoc Committee. That should be the only right way the right answer can come up. And that is why this thing was not properly answered and not satisfactory.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Ok. Honorable Yussuf Maalim, what do you want to say?

**Hon. Yussuf Maalim Dakane** (Alungu- Gof): Thank you, Mr. Deputy Speaker. This response is not satisfactory, and it is an issue concerning revenue and that one lies with the Department of Finance and Economic Planning. Therefore, this thing must be re-addressed again and sent to the Department of Finance and Economic Planning.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, honorable members for the debate and contributions. It is true that the response is not sufficient because the first question was carrying two questions per week and per annum.

The second question, you have not answered it; and you said it is for Water Department. The last question, where the honorable member asked, any evidence? Even they did not attach one. So, the response is not sufficient. Let the Committee on Finance and Economic Planning go back and discuss it. If the committee finds that this question is touching another committee then maybe next week they will tell us and that is the time we are going to decide whether we are going to form a Joint Committee or not. But for now it is not sufficient and it will be taken back to the committee.

We go to the next statement. This is a statement raised by honorable Yussuf Maalim Dakane to the Department of Roads, Transport and Public Works. By next week, this statement must be on the floor for all the questions. Vice-Chair, are you ok with it?

**Hon. Mohamed Rashid** (Kutulo): Thank you, honorable Chair. I stand with your ruling. I will bring the response after two weeks.

**Deputy Speaker** (Hon. Farah Abdi): You cannot take two weeks. Let it be one week and it will be here by next week.

We go to the next statement. This is a statement raised by honorable Yussuf Maalim Dakane to the Department of Roads, Transport and Public Works. Hon. Mohamed Ibrahim.

**Hon. Mohamed Ibrahim** (Guticha): Thank you, Mr. Deputy Speaker. I seek your permission in terms of responding to statement No. 3, 4, 5 and 6.

**Deputy Speaker** (Hon. Farah Abdi): First of all, are you speaking on behalf of the Chair?

**Hon. Mohamed Ibrahim** (Guticha): Yes. The Chair and the Vice-Chair are not here and I am representing them as a member.

**Deputy Speaker** (Hon. Farah Abdi): You want to respond?

**Hon. Mohamed Ibrahim** (Guticha): Yes. Statements No. 3, 4, 5 and 6. And then I will say something about statement No. 4.

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**Deputy Speaker** (Hon. Farah Abdi): You want to answer which statement?

**Hon. Mohamed Ibrahim** (Guticha): No. 3, 5 and 6; and then I will say something about statement No. 4.

**Deputy Speaker** (Hon. Farah Abdi): Proceed.

**Hon. Mohamed Ibrahim** (Guticha): I want to start with-----

**Deputy Speaker** (Hon. Farah Abdi): What do you want to say honorable Yussuf?

**Hon. Yussuf Maalim Dakane** (Alungu-Gof): Instead of the honorable member answering all these statements at the same time, let him answer the way it is in the Order Paper so that we debate on the statement one by one.

**Deputy Speaker** (Hon. Farah Abdi): I think you have understood him. Please combine them.

**Hon. Mohamed Ibrahim** (Guticha): Thank you, Mr. Deputy Speaker. I have a combined report, honorable Yussuf. I am doing it in good faith. I want to start with statement raised by honorable Yussuf Maalim Dakane and honorable Farah Abdinoor, the presiding Speaker. This is the response from the department.

We acknowledge the receipt of your letter REF. No. MCA/PRTC/J/Y/Vol.1/040 and 042 dated on 16<sup>th</sup> June, 2020 and 24<sup>th</sup> June, 2020 respectively on the statement sought by honorable members of the County Assembly. The Department of Roads, Transport and Public Works is committed to efficient service delivery to the people of Mandera County. We strived towards maintenance and upgrading of existing roads as well as opening up of new access roads throughout the county.

Regarding the concerns raised by honorable Yussuf Maalim Dakane, member for Alungu-Gof, we wish to clarify that the road in question, Alungu-Gof-Lafey is a section of Mandera- A 13 junction. According to the latest classification of roads by the Ministry of Transport and Infrastructure, Housing and Urban Development of National Government, the said road from Mandera Town up to the Junction A13 near Elwak Town is a National Trunk Road of Class B and is therefore under the jurisdiction of Kenya National High Way Authority (KENHA). It is therefore the responsibility of Kenya National High Way Authority (KENHA) to maintain this road. Further, Kenya Rural Roads Authority is currently upgrading to Bitumen Standard, a section of the said road from Mandera Town to Fino, and work is ongoing. Notwithstanding, the aforementioned Ministry of Roads, Transport and Public Works will raise the matter with Kenya National High Way Authority (KENHA) requesting rectification of the defects occasioned by the recent floods.

As regards to the statement raised by honorable Farah Abdinoor, Member for Libehia Ward, kindly note that the Ministry of Roads, Public Works and Transport has undertaken maintenance of Libehia-A13 junction in the FY 2018/2019. We are cognizant that the recent rains have rendered several roads impassable including the said road.

Mr. Deputy Speaker, they have also attached submission of the budget estimate 2020/2021. This is the letter addressed to the County Executive Committee Member (CECM) Finance and if you go ahead there is an attachment of an extract of what the department has submitted to the county executive for Finance to be considered in the upcoming budget. Mr. Deputy Speaker, in the interest of time, they have also highlighted construction Arabia, Otha and Libehia roads among other areas which is 45 million according to their proposal.

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Mr. Deputy Speaker, if you go a head there is an attachment of road condition assessment report dated 28<sup>th</sup> May, 2020 authored by Muhidin A. Omar who is also an engineer in that department; condition assessment report A13 Libehia road. There is introduction, methodology, observation, the defect erosion of gullies with the dimensional of course, possible causes and then the effect of gravel loss, possible causes, the effects, proposed remedial measures such as Calvert installation, gravelling and also the challenge expected. There are also annexures of pictures; the first one being gravel loss at CH0+400 meters' photographs, there is also erection of gullies at CH2+900 meters, there is also third page; photograph of erosion gully and gravel loss within Libehia town. There is also an attachment of changes in network under your jurisdiction that is a letter by the CS James Macharia who is the cabinet secretary for this department at the National level. I think that is the statement raised by honorable Yussuf Maalim Dakane and honorable Farah, the presiding chair.

There is also another statement by honorable Alinoor Derow and I read the response by the department which says response to the statement raised by Honorable Alinoor Derow Abdullahi; we acknowledge the receipt of your letter dated 1<sup>st</sup> July, 2020 on this statement sought by honorable Alinoor Derow Abdullahi Member of County Assembly Wargadud ward. The county department of Road, Public Works and Transport is aware that several roads were rendered impassable by the recent rains including Wargadud-Takaba road. We assessed the road immediately after the floods and our team estimated that the section most severely affected between is Wargadud and Qoqae near Ires-kinto. The county has undertaken remedial measures on the said section under the following two contracts; the first one is construction of a drift, back filling non storm water drainage at Ires kinto, tender No. MCG/OT/RLMF/03/2019/2020, (RLMF is road levy maintenance fund). This is the first project that has gone into that road. The second one is a drift at Qoqae; MCG/OT/RLMF/05/2019/2020. The ratification work carried out under the two contracts has addressed most critical sections of the road. The scope of the work carried out under these contracts includes; construction of a drift at the stream crossing point, gabion protection works, bag filled to eroded sections meter and drain score. Pictures of the same are also attached. The first one is one of the three 30-meter drift constructed at Ires kinto. The second one is gabion protection at Ires kinto.

Mr. Deputy Speaker, just to add my personal comment is that I have used this road while I was going to Takaba and I have witnessed that the project is ongoing. Mr. Deputy Speaker, the last statement which I said I would say something about it is the statement No. 4 which was also raised by honorable Yussuf Maalim Dakane Member of County Assembly for Alungu ward. We have received the response to this statement and in our committee meeting we have realized that it is not to the standard of what the honorable member has requested and we found it to be unsatisfactory and we have returned it to the relevant department and we are waiting for the response. I think one week is enough to get a response.

**Deputy Speaker** (Hon. Farah Abdi): Which one is that?

**Hon. Mohamed Ibrahim** (Guticha): Statement number 4. We have returned to the department and we are waiting for a clear response and we will furnish the House within one week.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Yussuf!

**Hon. Yussuf Maalim Dakane** (Alungu): Mr. Deputy Speaker, having perused through this statements from the department of roads, to me, it is not satisfactory. In this report there is a letter attached by the Cabinet Secretary for Transport and Infrastructure dated 8<sup>th</sup> May, 2020. He provided a list of roads planned for maintenance and development. That road is not in this list. I want to know the roads that are supposed to benefit from this list. That document is not telling us whether that road is there or not. Where is it? Mr. Deputy Speaker, the road, Alungu-Lafey road-

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**Deputy Speaker** (Hon. Farah Abdi): Order, before you proceed, which document is missing?

**Hon. Yussuf Maalim Dakane** (Alungu): Go to the last page Mr. Deputy Speaker. A letter dated 8<sup>th</sup> May, 2020 by the cabinet secretary for Transport and Infrastructure, National Government. If you go to that, they said, following a road reserve review by Kenya road reserve bureau and a Joint road agency team necessitated by the stakeholders' petition, you are hereby advised that some roads have been classified as by attached list. You are therefore requested to plan for the maintenance and development of these roads as applicable to each agency. That list is not there Mr. Deputy Speaker.

Secondly, Alungu-Lafey road was first undertaken by the county government and it seems they are using upgrading of the road as a scapegoat to evade its maintenance. The people of Alungu are tax payers like any other person in this great county and in the country at large. Mr. Deputy Speaker, this is a House of rules and procedures. Any honorable member who wants to speak must stand and raise his own opinion. There are those honorable members who are making noise and we do not want to entertain such things. People of Alungu are tax payers and they are entitled to basic services like roads, water and health. Therefore, by saying this is under national government and they are the ones who undertook the works of this road in the first place, is a scapegoat to run away from the maintenance of that road.

Mr. Deputy Speaker, we have seen, in many occasions, where the county government is spending a lot of resources on functions of national government claiming that it is in the interest of the people of this great county. Why not the people of Alungu? Today, they are telling us here that this thing is under the national government. Mr. Deputy Speaker, it is the interest of the public and that is what they normally say.

I, therefore, wish to firmly say that the report brought before this House was prepared with malice and a lot of negligence. It is very unfortunate that some people in this county are treated as second class citizens. The people of greater Lafey are like any other person in this great county and they are tax payers. Having said all that, as the representative of the people of Alungu, this response is not satisfactory and it must be returned to the department. They have to maintain that road since it is impassable.

Thank you.

**Hon. Mohamed Rashid** (Kutulo): Point of information Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): What is your point of information honorable Mohamed?

**Hon. Mohamed Rashid** (Kutulo): Mr. Deputy Speaker, I want to interject what Hon. Mohamed said. The statement sought by the Hon. Member representing Alungu whom we are from the same party, NARCK- Kenya, seeks to know whether the department is aware that the road between Alungu and Lafey is cut off by the recent floods.

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**Hon. Yussuf Maalim** (Alungu): Mr. Deputy Speaker, I only wanted to know one thing from the member.

**Hon. Mohamed Rashid** (Kutulo): I am on the floor of the House. Mr. Deputy Speaker, kindly, protect me.

**Deputy Speaker** (Hon. Farah Abdi): We will give you chance to talk. Let us listen to each other. What are you saying honorable Yussuf?

**Hon. Yussuf Maalim** (Alungu): Mr. Deputy Speaker, did the honorable member representing Kutulo say that we are from the same party? This is the first time I am hearing that but he is recognizing the party that has sponsored him to this House.

**Deputy Speaker** (Hon. Farah Abdi): Order! Do you doubt that he is from the party? Order honorable member!

**Hon. Yussuf Maalim** (Alungu): He has disowned the party long time ago and joined Jubilee.

**Deputy Speaker** (Hon. Farah Abdi): As far as we know he is a member of that party. Order Minority leader!

**Hon. Mohamed Rashid** (Kutulo): Mr. Deputy Speaker, my brother is misleading this House. I have not disowned my party and he knows that. So, let him not mislead the House. That was on a light note.

Mr. Deputy Speaker, I wanted to interject what my brother honorable Mohamed of Guticha said. This road has been classified by KenHA as A13. Mr. Deputy Speaker, there is project worth 3.2 billion shillings ongoing from Mandera town to Fino. The information is that, honorable Yussuf member for Alungu is saying the response is not satisfactory and the letter which has been written from the ministry of national government is attached. If you look at the leaflet, you can attest to that. Just give time Mr. Deputy Speaker let me conclude. The third statement raised by honorable member for Alungu is satisfactorily answered by the department. They are writing to the ministry of transport so that it can be done. As we are speaking, while the one of Fino and Mandera is taking place, the other one is being sought slowly. This statement as per by the department has been satisfactorily answered.

**Deputy Speaker** (Hon. Farah Abdi): We will adjourn the House for prayer.

**Hon. Abdullahi Siyad** (Lafey): Mr. Deputy Speaker, we need to contribute. This thing is affecting some of our wards.

**Deputy Speaker** (Hon. Farah Abdi): You will contribute after we come back from prayers.

House Temporarily Adjourned for Asr Prayers

*The House resumed*

[Deputy Speaker (Hon. Farah Abdi) on the Chair]

CONFIRMATION OF QUORUM

**Deputy Speaker** (Hon. Farah Abdi): Sergeant at arms, ring the bell for ten minutes.

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*(Quorum bell rang)*

*(After the expiry of ten minutes)*

**Deputy Speaker** (Hon. Farah Abdi): I order the Sergeant-at-arms to ring the bell for a further five minutes.

*(Quorum bell rang for a further five minutes)*

*(After the expiry of five minutes)*

ADJOURNMENT

**Deputy Speaker** (Hon. Farah Abdi): Order honorable members! Still we do not have quorum. We cannot continue with our business and therefore we will adjourn the House to next week Tuesday, 28<sup>th</sup> July 2020 at 2:30 p.m.